

Indiana House of Representatives

News and Information

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STILWELL'S COAL LEGISLATION AND INDEMNITY AGREEMENTS BILL BOTH PASS OUT OF HOUSE

INDIANAPOLIS – State Rep. Russ Stilwell (D-Boonville) had two bills pass out of the Indiana House today.

House Bill 1078 ensures equity for fees that coal companies pay and keeps the fees at an appropriate level for efficient production. The coal industry would pay a temporary increase in fees to 5.5 cents for surface tonnage and 3 cents for underground tons.

"This increase in fees is necessary to maintain sufficient funding for the state's division of reclamation, which has the regulatory responsibility for coal mines in Indiana," Stilwell said.

House Bill 1230 deals with indemnity agreements in motor carrier contracts. Currently, a supplier can make truck drivers responsible for any mistakes that are made during the transportation process, even when an accident might have been caused by the supplier.

"With the current laws, if a chemical company were to incorrectly mix a load of chemicals that makes it more flammable and it explodes when the driver delivers the mixture, the driver would be held responsible for the damage if the chemical company was indemnified," explained Stilwell.

In the case where drivers do not agree to indemnify the supplier, the supplier can refuse to let drivers haul their cargo. House Bill 1230 would change this by preventing a transportation contract that makes the shipper responsible for its own mistakes.

"The current law allows shippers to be coercive when dealing with their truck drivers," said Stilwell. "This legislation is good public policy in that it makes the shipper and the driver responsible for their own actions."

House Bills 1078 and 1230 will both be sent to the Senate for consideration.

This news release can be accessed on the Internet at www.IN.gov/H74